

REMARKS

Claims 1-20 are pending in this application. Claims 1-20 stand rejected. By this Amendment, claims 1, 2, 3, 7, 9, 10, and 13 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicants respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,314,138 (“Lemaguet”). Applicants respectfully traverse this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claim 1 not present in the Lemaguet is “monitoring said second original bit stream and said converted bit

stream; and generating a delay control signal in response to the monitoring wherein said specific time interval is adjusted by said delay control signal... .”

In Lemaguet, delay line 57 introduces a delay equal to the transcoding delay provided by a first transcoding branch of the device. However, this delay is a fixed delay based on the throughput of the transcoding leg of the device. There is no disclosure in Lemaguet of a control circuit that monitors the output of the transcoding arm and the delayed arm to ensure that the two arms of the device have the same delay.

The present method ensures that the delayed bit stream is equal to the code converted bit stream by comparing the two bit streams and varying the delay so that the delayed bit stream is equal to the code converted bit stream. As such, claim 1 is allowable over the cited reference.

Claims 2-9 depend from, and contain all the limitations of claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Lemaguet and are also believed to be directed towards the patentable subject matter. Thus, claims 2-9 should also be allowed.

Among the limitations of claim 10 not shown in the prior art is “a buffer controlling section that receives as inputs said second original bit stream and said converted bit stream and outputs a buffer control signal, wherein said specific time interval is adjusted by said buffer control signal... .”

As discussed above, in Lemaguet, the delay 57 is a fixed delay equal to the transcoding delay of elements 51 through 56. However, Lemaguet provides no means for determining and controlling the delay as explicitly recited in Applicants' claims. As such, Applicants respectfully request the withdrawal of the rejection to claim 10.

Claims 11-20 depend from, and contain all the limitations of claim 10. These dependent claims also recite additional limitations which, in combination with the limitations of claim 10, are neither disclosed nor suggested by Lemaguet and are also believed to be directed towards the patentable subject matter. Thus, claims 11-20 should also be allowed.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No.: 09/693,772

Docket No.: K2635.0055/P055

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: June 9, 2004

Respectfully submitted,

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